

IN THE UNITED STATES BANKRUPTCY COURT
FOR THE EASTERN DISTRICT OF TENNESSEE
NORTHERN DIVISION

IN RE: JOHN CHRISTOPHER GIBBS

#17-32137-SHB
Chapter 13
Filed 7/11/2017
Unconfirmed

NOTICE

Notice is hereby given that a hearing on the Trustee's Amended Motion to Dismiss will be held on September 6, 2017 at 9:00 a.m. at the United States Bankruptcy Court, Courtroom 1C, Howard H. Baker, Jr. Courthouse, 800 Market Street, Knoxville, TN. 37902. If you do not want the court to grant the relief requested, you or your attorney must attend this hearing. If you do not attend the hearing, the court may decide that you do not oppose the relief sought in the motion and may enter an order granting that relief.

TRUSTEE'S AMENDED MOTION TO DISMISS AND NOTICE OF HEARING

The Chapter 13 Trustee moves to dismiss this case pursuant to 11 U.S.C. §1307 as a result of the debtor(s) noncompliance with bankruptcy requirements as follows:

1. The Debtor(s) did not file required bankruptcy documents per the Notice of Deficiency entered by the court on or about July 14, 2017 and serviced on the debtor(s) on July 16, 2017. The Notice of Deficiency is attached hereto as Exhibit A and incorporated by reference. Debtors filed a motion to extend time to file schedules and an order was granting to file schedules by August 3, 2017. To date, no schedules have been filed.
2. The debtor has not made any payments to the Chapter 13 Trustee as required by 11 U.S.C. §1326.
3. Debtor's original creditor meeting was scheduled for August 9, 2017. Debtor failed to appear for the creditor meeting on August 9, 2017 as required by 11 U.S.C. §343; and, did not provide the Trustee with a copy of a federal income tax return or transcript as required by 11 U.S.C. §521 (e) (2) (A) (i).
4. Pursuant to 11 U.S.C. §521 (i) (1) this case is subject to automatic dismissal.

SUBMISSION AND CERTIFICATE OF SERVICE BY CHAPTER 13 TRUSTEE

Based on information and belief, the Chapter 13 Trustee hereby certifies the correctness of the facts contained in this Amended Motion to Dismiss and Notice of Hearing hereby certifies that a true and exact copy of the same has been serviced by electronic mail and/or by first class United States mail postage prepaid on the following individuals as addressed below this 10 day of August 2017.

/s/ Gwendolyn M. Kerney by cw w/perm
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